



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,795	07/03/2001	Douglas J. Murray	BAO-0021	1868

7590 06/01/2004

CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002

EXAMINER

THOMPSON, KENNETH L

ART UNIT	PAPER NUMBER
----------	--------------

3672

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,795

Applicant(s)

MURRAY, DOUGLAS J.

Examiner

Kenn Thompson

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-23 and 25-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-23 and 25-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claim 15-18 is objected to because of the following informalities:

Claim 15 appears to depend from claim 12 in view of the recitation, "said orientation slot" in claim 15, line 2; since an antecedent is not established in claim 29. To expedite the examination process the Examiner will treat claim 15 as to depend from claim 12.

In claims 16-18 the recitation "tubular member" should be changed to "tubular sleeve"

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-23 and 25-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Williamson et al., U.S. 5,613,559.

Regarding claim 29, Williamson et al. discloses in figures 1-3 a non-diverter tubular sleeve (110) composed of a single piece of material (118) at least a portion of which is circumferentially closed. Williamson et al. discloses the sleeve having a wall thickness selected to minimize restriction of a borehole in which the sleeve is installable. Williamson et al. discloses the thickness being insufficient to divert a tool and sufficient to orient a tool (col. 12, lines 17-32). Williamson et al. discloses an expandable section (112,114) of the sleeve. Williamson et al.

Art Unit: 3672

discloses the section being radially expandable to assume a larger circumferential dimension such that an interference fit with a wellbore (100) in which the device is to be deployed is achievable. Williamson et al. discloses an orientation profile (128, 410) disposed at an axial end of the sleeve.

As to claim 12, Williamson et al. discloses the orientation profile (128) has an orientation opening (bore of 118) therein.

As to claim 13, Williamson et al. discloses opening is a slot (410).

As to claim 14, Williamson et al. discloses a surface of the orientation profile is positioned proximate the wellbore (100).

As to claim 15, Williamson et al. discloses the orientation slot (410) extends along a wall of the tubular sleeve from the orientation profile and is configured to receive a pin on a tool for orientation.

As to claim 16, Williamson et al. discloses the tubular sleeve is anchorable (via 114,112) within the wellbore.

As to claim 17 Williamson et al. discloses the downhole end of the tubular sleeve (110) is radially expandable (112,114,115) to engage an inner surface of the casing (100).

As to claim 18, Williamson et al. discloses the downhole end of the tubular sleeve (118) has a lesser thickness (at 128) than the tubular member.

As to claim 19, Williamson et al. discloses anchoring the sleeve (via 112,114) to an inner surface of the casing (100), running the tool (300) into the casing, causing a pin (360,310) on the tool to engage an orientation profile on the sleeve.

Art Unit: 3672

Regarding claim 25, Williamson et al. discloses a tubular member (110) at least a portion of which is circumferentially closed. Williamson et al. discloses the member having a wall thickness selected to minimize restriction of a borehole in which the sleeve is installable. Williamson et al. discloses the member configured to be received in a casing of a wellbore. Williamson et al. discloses the tubular member having an uphole end and a downhole end. Williamson et al. discloses the uphole end defining an orientation profile configured to cause a pin (310,360) on a separate tool to ride along said orientation profile causing the separate tool to orientate (col. 15, lines 57-66).

Regarding claim 26, Williamson et al. discloses a multilateral point orientation device. Williamson et al. discloses circumferentially closed single piece sleeve (118). Williamson et al. discloses the sleeve having a material thickness insufficient to divert another tool and sufficient to orient a tool (300). Williamson et al. discloses the sleeve having at least a portion (112,114) thereof configured to expand radially into interference contact with the wellbore (100). Williamson et al. discloses expanding the device to achieve interference fit with a surface (115) of the string to permanently anchor the device in the wellbore. Williamson et al. discloses causing a pin (310) on the tool to engage an orientation (col. 15, lines 56-67) on the device sleeve such that the tool is orientated by an interaction between the pin and the profile.

As to claim 20, Williamson et al. discloses causing the pin (310,360) to engage an orientation opening on the orientation profile (col. 15, lines 56-67).

As to claim 21, Williamson et al. discloses the opening is a slot (410).

As to claim 22, Williamson et al. discloses the orientation profile (410) rotates the tool into a desired orientation.

Art Unit: 3672

As to claim 23, Williamson et al. discloses causing the pin (360) on the tool (300) to engage the orientation slot (410) causes the tool to be retained in position.

As to claim 27, Williamson et al. discloses the opening is an orientation slot (410).

As to claim 28, Williamson et al. discloses causing the pin (360) on the tool (300) to engage the orientation slot (410) causes the tool to be retained in an oriented position.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenn Thompson whose telephone number is 703 306-5760. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J Bagnell can be reached on 703 308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


19 May 2004